

ELEVENTH DAY

(Thursday, January 25, 1945)

The Senate met at 11:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senators Morris, Aikin and Jones:

S. B. No. 78, A Bill to be entitled An Act to amend Article 2, Section 2, House Bill Number 176, Acts of the 48th Legislature, relative to filing date of applications, repealing all laws and parts of laws in conflict herewith; and declaring an emergency.

To Committee on Education.

By Senators Mauritz and Sulak:

S. B. No. 79, A Bill to be entitled An Act to encourage the speedy economic rehabilitation of the State; declaring a public policy; making a grant of public moneys therefor to the counties; naming the purposes and regulating the expenditure thereof; providing the manner of payment of the grant; containing a severability clause with respect to constitutional invalidity; stating the effective period

of the grant; and making an appropriation for the first two years.

To Committee on State Affairs.

By Senator Stanford:

S. B. No. 80, A Bill to be entitled An Act to amend Article 4359, Revised Civil Statutes, as amended by House Bill 495, Chapter 243, Acts of the Regular Session of the Forty-second Legislature, and providing that a department, court, school, or other State agency may prepare and present pay roll claims in advance of the pay roll period without verification as to services performed, and authorizing the Comptroller to issue warrants in the payment thereof in advance of the due date of said claim, and directing the Treasurer to countersign such warrants; authorizing the Comptroller to make rules and regulations for filing such pay roll claims, and writing warrants in connection therewith, and declaring an emergency.

To Committee on Civil Jurisprudence.

Message from the House

Hall of the House of Representatives

Austin, Texas,
January 25, 1945

Hon. John Lee Smith,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

H. C. R. No. 11, Granting each House permission to adjourn from Thursday, January 25th to Monday, January 29th.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives
(President pro tempore Moffett in the Chair)

House Concurrent Resolution 11

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 11, authorizing the House and the Senate to adjourn from Thursday, January 25, 1945, to Monday, January 29, 1945.

The resolution was read and was adopted.

House Bill 3 on Second Reading

The President pro tempore laid before the Senate, on its second reading and passage to third reading:

H. B. No. 3, A bill to be entitled "An Act amending Section 1 and 2 of Article 2, Section 2 of Article 3, Section 1 of Article 4, Section 1 of Article 5 and Section 2 of Article 13, all of Chapter 373, Acts of the Regular Session, Forty-eighth Legislature, and relating to State aid to public schools; and making additional appropriation of One Million, Five Hundred and Seventy-five Thousand and Eighty-two Dollars (\$1,575,082.00); repealing all laws in conflict therewith; providing for severability and declaring an emergency."

The bill was read second time.

Senator Morris moved to suspend the Senate rule requiring printed copies of a bill to be laid on the desks of Senators twenty-four hours before its consideration and that the Senate consider the bill immediately.

Senator Morris withdrew the motion to suspend, and the bill was returned to the President's table.

Senate Bill 17 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 17, A Bill to be entitled An Act appropriating the sum of \$13,250.00 or so much thereof as may be necessary to satisfy, according to the terms thereof, the judgment rendered against the State of Texas in favor of W. D. Malone in Cause No. 53,930 in the Fifty-third District Court of Travis County, Texas, such judgment having been appealed to the Court of Civil Appeals and affirmed, and writ of error having been refused for want of merit by the Supreme Court of Texas, and the case having been finally disposed of by the Supreme Court of the State of Texas under Application Docket No. 26,902, and declaring an emergency.

The bill was read second time and was passed to engrossment.

Senate Bill 17 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to

be read on three several days be suspended and that S. B. No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

Absent—Excused

Kelley	Shivers
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Lane	Taylor
Lanning	Vick
Mauritz	Weinert
Metcalf	Winfield
Moffett	York

Nays—3

Aikin	Knight
Brown	

Absent

Martin	Spears
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Absent—Excused

Kelley	Shivers
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Senate Bill 32 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 32, A Bill to be entitled An Act making an appropriation to pay A. R. Eppenauer the sum of \$5,-021.20 in refund of down payments and delay rentals paid him for State mineral leases Nos. 20,683, 20,684, 20,685, and 20,057, covering claimed vacant public school lands located in Pecos County, Texas, adjudged to be in appropriated land not belonging to the State.

The bill was read second time and was passed to engrossment.

Senate Bill 32 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalfe	

Absent—Excused

Kelley	Shivers
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Lane	Vick
Lanning	Weinert
Mauritz	Winfield
Metcalfe	York
Moffett	

Nays—2

Aikin	Knight
	Absent
Martin	Spears
	Absent—Excused
Kelley	Shivers

Advance Printing of Senate Bill 52

On motion of Senator Chadick, S. B. No. 52 was ordered printed in advance of its consideration in committee.

Senate Resolution 22

By unanimous consent, Senator Brown offered at this time the following resolution:

Whereas, there are now at the bar of the Senate Hon. Joe Hill and Hon. Karl Lovelady, who formerly served in this body with much credit and distinction, now therefore

Be it resolved that these two gentlemen be invited to address the Senate at this time and be extended the privileges of the floor for today.

The resolution was read and was adopted.

Accordingly, the President pro tempore appointed Senators Brown, Lane and Taylor as a committee to escort Senators Hill and Lovelady to the President's stand.

The committee performed the duty assigned it.

The President pro tempore presented Senator Hill, who addressed the Senate briefly.

The President pro tempore then presented Senator Lovelady, who also addressed the Senate briefly.

Adjournment

Senator Morris moved that the Senate adjourn until 11:00 o'clock a. m. tomorrow.

Senator Weinert moved that the Senate adjourn until 11:00 o'clock a. m., Monday, January 29, 1945.

Question first recurring on the motion of Senator Weinert, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—10

Brown	Taylor
Graves	Vick
Lanning	Weinert
Mauritz	Winfield
Moore	York

Nays—16

Aikin	Lane
Bullock	Metcalf
Carney	Moffett
Chadick	Morris
Crawford	Parrish
Hazlewood	Stanford
Jones	Stone
Knight	Sulak

Absent

Martin	Shivers
Ramsey	

Absent—Excused

Kelley	Spears
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Question next recurring on the motion of Senator Morris, it prevailed.

The Senate, accordingly, at 12:00 o'clock m., adjourned until 11:00 o'clock a. m. tomorrow.

TWELFTH DAY

(Friday, January 26, 1945)

The Senate met at 11:00 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called, and the following Senators were present:

Aikin	Metcalf
Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Mauritz	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senators Kelley, Martin, Shivers, Weinert, and Winfield were granted leaves of absence for today on account of important business, on motion of Senator Metcalfe.

Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Spears (by request):

S. B. No. 81, A Bill to be entitled An Act which provides for the prevention and control of diseases; defining certain terms; giving the State Health Officer and the State Board of Health authority to promulgate orders, rules and regulations for the protection of the public health; authorizing the State Board of Health to receive public donations and cooperate with the Texas Water and Sanitation Research Foundation and other foundations for furtherance of public health research; and to construct certain buildings; repealing Rules 1 through 33 of Chapter IV, Article 4477 of the Revised Civil Statutes of Texas of 1925, save and except Senate Bill No. 46, Acts of 1927, 40th Legislature, First Called Session, page 116, Chapter Forty-one, as amended by Senate Bill No. 20, Acts of 1929, 41st Legislature, First Called Session, page 7, Chapter 4, which name is known as "The Vital Statistics Law" and rules 77, 78, 79, 80, 81, 83, 85 and 86 known as the section on "Transportation of Dead Bodies", and shall remain in full force and effect; and repealing all laws, articles, sections, and subdivisions of laws which conflict or are inconsistent with this Act; prescribing a penalty; providing a saving clause; and declaring an emergency.

To Committee on Public Health.

By Senator Graves:

S. B. No. 82, A Bill to be entitled An Act making an appropriation in the sum of Seven Hundred Fifty (\$750.00) Dollars from the State's General Revenue Fund for the purpose of reimbursing William Trakas, by reason of judgment obtained